

PETITIONS OFFICE

PTO/SB/84a (05-03)

Approved for use through 10/xx/200x. OMB 0651-0031
U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

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PETITION FOR REVIVAL OF AN APPLICATION FOR PATENT ABANDONED FOR FAILURE TO NOTIFY THE OFFICE OF A FOREIGN OR INTERNATIONAL FILING (37 CFR 1.137(f))		Docket Number (Optional)
		529252000100

First named inventor: Miles WU, et al.

Application No.: 10/087,045

Art Unit: 2681

Filed: 2/28/02

Examiner: Not assigned

Title: MEASURING THE THROUGHPUT OF TRANSMISSIONS OVER WIRELESS
LOCAL AREA NETWORKS

Attention: Office of Petitions

Mail Stop Petition

Commissioner for Patents

P.O. Box 1450

Alexandria, VA 22313-1450

FAX: (703) 308-6916

NOTE: If information or assistance is needed in completing this form, please contact Petitions
Information at (703) 305-9282.

The above-identified application became abandoned pursuant to 35 U.S.C. 122(b)(2)(B)(iii) for failure to timely notify the Office of the filing of an application in a foreign country or under a multinational international treaty that requires publication of applications eighteen months after filing. The date of abandonment is the day after the expiration date of the forty-five (45) day period set in 35 U.S.C. 122(b)(2)(B)(iii).

**PURSUANT TO 37 CFR 1.137(f), APPLICANT HEREBY PETITIONS FOR REVIVAL OF THIS APPLICATION
UNDER 37 CFR 1.137(b)**

1. Petition fee

Small entity fee \$ 650.00 (37 CFR 1.17(m)). Applicant claims small entity status. See 37 CFR 1.27.

Other than small entity - fee \$ _____ (37 CFR 1.17(m))

2. Notice of Foreign or International Filing (35 U.S.C. 122(b)(2)(B)(iii) and 37 CFR 1.213(c))

Subsequent to the filing of the above-identified application, an application was filed in another country, or under a multinational international treaty (e.g., filed under the Patent Cooperation Treaty), that requires publication of applications eighteen months after filing. The filing date of the subsequently-filed foreign or international application is February 25, 2003.

[Page 1 of 2]

This collection of information is required by 37 CFR 1.137. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 1.0 hour to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.

STATEMENT: The entire delay in filing the required notice of a foreign or international filing from the due date for the required notice until the filing of a grantable petition under 37 CFR 1.137(b) was unintentional.
(NOTE: The United States Patent and Trademark Office may require additional information if there is a question as to whether either the abandonment or the delay in filing a petition under 37 CFR 1.137(b) was unintentional (MPEP 711.03(c), subsections (III)(C) and (D)).

WARNING: Information on this form may become public. Credit card Information should not be included on this form. Provide credit card information and authorization on PTO-2038.

May 2, 2003

Date

Telephone
Number. 415-268-6373

Peter J. Yim (Reg. No. 44,417)
Signature

Peter J. Yim

Typed or printed name

425 Market Street

Address

San Francisco, CA 94105-2482

Enclosures: Fee Payment

Additional sheets containing statements establishing unintentional delay

Other. Fax cover sheet 1 pg. transmittal 1 pg.;
fee transmittal (in duplicate)

CERTIFICATE OF MAILING OR TRANSMISSION [37 CFR 1.8(a)]

I hereby certify that this correspondence is being:

deposited with the United States Postal Service on the date shown below with sufficient postage as first class mail in an envelope addressed to: Mail Stop Petition, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

transmitted by facsimile on the date shown below to the United States Patent and Trademark Office at (703) 308-6916.

May 2, 2003

Date

Janet Hollrah
Signature

Janet Hollrah

Type or printed name of person signing certificate

DUPLICATE COPY FOR FEE PROCESSING

PTO/SB/17 (01-03)

Approved for use through 04/30/2003. OMB 0651-0032

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

FEE TRANSMITTAL
for FY 2003

Patent fees are subject to annual revision.

 Applicant claims small entity status. See 37 CFR 1.27TOTAL AMOUNT OF PAYMENT (\$)
\$650.00

Complete if Known

Application Number	10/087,045
Filing Date	February 28, 2002
First Named Inventor	Miles WU FAX RECEIVED
Examiner Name	To Be Assigned
Group Art Unit	2681 MAY 05 2003

MAY 05 2003

529252000100

PETITIONS OFFICE

METHOD OF PAYMENT (check all that apply)

 Check Credit Card Money Order Other None
 Deposit Account

Deposit Account Number

03-1952

Deposit Account Name

Morrison & Foerster LLP

The Commissioner is hereby authorized to: (check all that apply)

 Charge fee(s) indicated below Credit any overpayments
 Charge any additional fee(s) during the pendency of this application
 Charge fee(s) indicated below, except for the filing fee to the above-identified deposit account.

FEE CALCULATION

1. BASIC FILING FEE

Large Entity Small Entity

Fee Code	Fee (\$)	Fee Code	Fee (\$)	Fee Description	Fee Paid
1001	750	2001	375	Utility filing fee	
1002	330	2002	165	Design filing fee	
1003	520	2003	260	Plant filing fee	
1004	750	2004	575	Reissue filing fee	
1005	160	2005	80	Provisional filing fee	
SUBTOTAL (1) (\$)					

2. EXTRA CLAIM FEES FOR UTILITY AND REISSUE

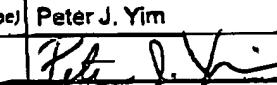
Total Claims	-	=	x	Fee from claims below	=	Fee Paid
Independent Claims	-	=	x		=	
Multiple Dependent						

Large Entity	Small Entity	Fee Description	Fee Paid
1202 18	2202 9	Claims in excess of 20	
1201 84	2201 42	Independent claims in excess of 3	
1203 280	2203 140	Multiple dependent claim, if not paid	
1204 84	2204 42	** Reissue independent claims over original patent	
1205 18	2205 9	** Reissue claims in excess of 20 and over original patent	
SUBTOTAL (2) (\$)			

** or number previously paid, if greater. For Reissues, see above

3. ADDITIONAL FEES

Large Entity Fee Code (\$)	Small Entity Fee Code (\$)	Fee Description	Fee Paid
1051 130	2051 85	Surcharge - late filing fee or oath	
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1452 110	2452 55	Petition to revive - unsurvivable	
1453 1,300	2453 650	Petition to revive - unintentional	
1501 1,300	2501 650	Utility issue fee (or reissue)	
1502 470	2502 235	Design issue fee	
1503 630	2503 315	Plant issue fee	
1460 130	1460 130	Petitions to the Commissioner	
1807 50	1807 50	Processing fee under 37 CFR 1.17(q)	
1808 180	1808 180	Submission of Information Disclosure Stmt	
8021 40	8021 40	Recording each patent assignment per property (times number of properties)	
1809 750	2809 375	Filing a submission after final rejection (37 CFR 1.129(g))	
1810 750	2810 375	For each additional invention to be examined (37 CFR 1.128(b))	
1801 750	2801 375	Request for Continued Examination (RCE)	
1802 900	1802 900	Request for expedited examination of a design application	
Other fee (specify)			
Reduced by Basic Filing Fee Paid			SUBTOTAL (3) \$650.00

SUBMITTED BY		Complete if applicable		
Name (Print/Type)	Peter J. Yim	Registration No. (Attorney/Agent)	44,417	Telephone (415) 268-6373
Signature		Date	May 2, 2003	

PTO/SB/21 (08-00)

Please type a plus sign (+) inside this box → Approved for use through 10/31/02. OMB 0651-0031
U.S. Patent and Trademark Office, U.S. DEPARTMENT OF COMMERCE

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TRANSMITTAL FORM

(to be used for all correspondence after initial filing)

Total Number Of Pages In This Submission

Application Number	10/087,045
Filing Date	February 28, 2002
First Named Inventor	Miles Wu
Group Art Unit	2681
Examiner Name	To Be Assigned
Attorney Docket No.	52925-2000100

FAX RECEIVED

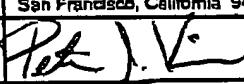
MAY 05 2003

PETITIONS OFFICE

ENCLOSURES (check all that apply)

<input checked="" type="checkbox"/> Fee Transmittal Form w/duplicate copy for fee processing (2 Pages)	<input type="checkbox"/> Assignment Papers (for an Application)	<input type="checkbox"/> After Allowance Communication to Group
<input type="checkbox"/> Fee Attached	<input type="checkbox"/> Drawing(s)	<input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences
<input type="checkbox"/> Amendment / Reply	<input type="checkbox"/> Licensing-related Papers	<input type="checkbox"/> Appeal Communication to Group (Appeal Notice, Brief, Reply Brief)
<input type="checkbox"/> After Final	<input checked="" type="checkbox"/> Petition (2 Pages)	<input type="checkbox"/> Proprietary Information
<input type="checkbox"/> Affidavits/declarations	<input type="checkbox"/> Petition to Convert to a Provisional Application	<input type="checkbox"/> Status Letter
<input type="checkbox"/> Extension of Time Request	<input type="checkbox"/> Power of Attorney, Revocation	<input checked="" type="checkbox"/> Other Enclosure(s) (please identify below): Facsimile Cover Sheet
<input type="checkbox"/> Express Abandonment Request	<input type="checkbox"/> Change of Correspondence Address	
<input type="checkbox"/> Information Disclosure Statement	<input type="checkbox"/> Terminal Disclaimer	
<input type="checkbox"/> Certified Copy of Priority Document(s)	<input type="checkbox"/> Request for Refund	
<input type="checkbox"/> Response to Missing Parts/ Incomplete Application	<input type="checkbox"/> CD, Number of CD(s) _____	
<input type="checkbox"/> Response to Missing Parts under 37 CFR 1.52 or 1.53	<input type="checkbox"/> Remarks	

SIGNATURE OF APPLICANT, ATTORNEY OR AGENT

Firm or Individual Name	Peter J. Yim (Reg. No. 44,417) Morrison & Foerster LLP 425 Market Street San Francisco, California 94105-2482
Signature	
Date	May 2, 2003

CERTIFICATE OF FACSIMILE TRANSMISSION

I hereby certify that this correspondence is being facsimile transmitted to the United States Patent and Trademark Office on May 2, 2003.

Janet Hollrah

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MORRISON & FOERSTER LLP

Attorneys at Law
425 Market Street
San Francisco, California 94105-2482
Telephone: (415) 268-7000
Facsimile: (415) 268-7522

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MAY 05 2003

PETITIONS OFFICE

To: U. S. Patent and Trademark Office
Office of Petitions (Patent)

Facsimile: (703) 308-6916
Phone: (703) 308-6199

From: Peter J. Yim

Date: May 2, 2003

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Comments:

DOCKET NO.: 529252000100

GROUP ART UNIT: 2681

EXAMINER: Not Assigned

SERIAL NO.: 10/087,045

FILING DATE: February 28, 20002

INVENTOR(S): Miles WU, et al.

TITLE: MEASURING THE THROUGHPUT OF TRANSMISSIONS OVER WIRELESS
LOCAL AREA NETWORKS

Papers attached:

1. Transmittal (1 Page)
2. Fee Transmittal w/duplicate copy for fee processing (2 Pages)
3. Petition For Revival of an Application For Patent Abandoned For Failure To Notify The Office of a Foreign or International Filing (2 Pages)
4. Facsimile Cover Sheet

MORRISON & FOERSTER LLP

Attorneys at Law
425 Market Street
San Francisco, California 94105-2482
Telephone: (415) 268-7000
Facsimile: (415) 268-7522

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MAY 05 2003

PETITIONS OFFICE

To: Mrs. Frances Hicks
U.S. Patent and Trademark Office

Facsimile: (703) 308-6919
Telephone: (703) 308-8680

From: Peter J. Yim

Date: May 5, 2003

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Comments:

Mrs. Hicks,

As you instructed, I am refaxing the petition filed by fax on May 2, 2003 for U.S. Patent Application Serial No. 10/087,045.

Thank you for your assistance.

-Peter Yim

PTO/SB/21 (08-00)

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U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

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TRANSMITTAL FORM

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Total Number Of Pages In This Submission

Application Number	10/087,045
Filing Date	February 28, 2002
First Named Inventor	Miles WU
Group Art Unit	2881
Examiner Name	To Be Assigned
Attorney Docket No.	52025-2000100

FAX RECEIVED

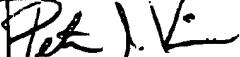
MAY 02 2003

PETITIONS OFFICE

ENCLOSURES (check all that apply)

<input checked="" type="checkbox"/> Fee Transmittal Form w/duplicate copy for fee processing (2 Pages)	<input type="checkbox"/> Assignment Papers (for an Application)	<input type="checkbox"/> After Allowance Communication to Group
<input type="checkbox"/> Fee Attached	<input type="checkbox"/> Drawing(s)	<input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences
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<input type="checkbox"/> Extension of Time Request	<input type="checkbox"/> Power of Attorney, Revocation Change of Correspondence Address	<input checked="" type="checkbox"/> Other Enclosure(s) (please identify below): Facsimile Cover Sheet
<input type="checkbox"/> Express Abandonment Request	<input type="checkbox"/> Terminal Disclaimer	
<input type="checkbox"/> Information Disclosure Statement	<input type="checkbox"/> Request for Refund	
<input type="checkbox"/> Certified Copy of Priority Document(s)	<input type="checkbox"/> CD, Number of CD(s) _____	
<input type="checkbox"/> Response to Missing Parts/ Incomplete Application	Remarks	
<input type="checkbox"/> Response to Missing Parts under 37 CFR 1.52 or 1.53		

SIGNATURE OF APPLICANT, ATTORNEY OR AGENT

Firm or Individual Name	Peter J. Yim (Reg. No. 44,417) Morrison & Foerster LLP 425 Market Street San Francisco, California 94105-2482
Signature	
Date	May 2, 2003

CERTIFICATE OF FACSIMILE TRANSMISSION

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FEE TRANSMITTAL for FY 2003

Patent fees are subject to annual revision.

 Applicant claims small entity status. See 37 CFR 1.27

TOTAL AMOUNT OF PAYMENT (\$)
 \$650.00
Complete if Known

Application Number	10/087,045
Filing Date	February 28, 2002
First Named Inventor	Miles WU
Examiner Name	To Be Assigned
Group Art Unit	2681
Attorney Docket No.	529252000100

METHOD OF PAYMENT (check all that apply)
 Check Credit Card Money Order Other None

 Deposit Account

 Deposit Account Number: **03-1952**

 Deposit Account Name: **Morrison & Foerster LLP**

The Commissioner is hereby authorized to: (check all that apply)

 Charge fee(s) indicated below Credit any overpayments

 Charge any additional fee(s) during the pendency of this application

 Charge fee(s) indicated below, except for the filing fee

to the above-identified deposit account.

FEES CALCULATION (continued)**FAX RECEIVED****MAY 02 2003****PETITIONS OFFICE****3. ADDITIONAL FEES**

Large Entity	Small Entity	Fee Description	Fee Paid
1051	130	2051 65 Surcharge - late filing fee or oath	
1062	50	2052 25 Surcharge - late provisional filing fee or cover sheet	
1053	130	1053 130 Non-English specification	
1812	2,520	1812 2,520 For filing a request for ex parte reexamination	
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1451	1,510	1451 1,510 Petition to institute a public use proceeding	
1452	110	2452 55 Petition to revive - unavoidable	
1453	1,300	2453 650 Petition to revive - unfrivolous	650.00
1501	1,300	2501 650 Utility issue fee (or reissue)	
1502	470	2502 235 Design issue fee	
1503	630	2503 315 Plant issue fee	
1460	130	1460 130 Petitions to the Commissioner	
1807	50	1807 50 Processing fee under 37 CFR 1.17(q)	
1808	180	1808 180 Submission of Information Disclosure Stmt	
8021	40	8021 40 Recording each patent assignment per property (times number of properties)	
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1802	900	1802 900 Request for expedited examination of a design application	
Other fee (specify)			

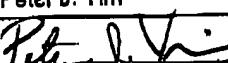
*Reduced by Basic Filing Fee Paid

SUBTOTAL (3)

\$650.00

** or number previously paid, if greater. For Reissues, see above

SUBMITTED BY**Complete (if applicable)**

Name (Print/Type)	Peter J. Yim	Registration No. (Attorney/Agent)	44,417	Telephone	(415) 268-6373
Signature				Date	May 2, 2003

DUPLICATE COPY FOR FEE PROCESSING

PTO/SB/17 (01-03)

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First Named Inventor	Miles WU
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Group Art Unit	2681
Attorney Docket No.	529252000100

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MAY 02 2003

METHOD OF PAYMENT (check all that apply)

 Check Credit Card Money Order Other None
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Deposit Account Number 03-1952

Deposit Account Name Morrison & Foerster LLP

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FEE CALCULATION

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SUBTOTAL (1) (\$)					

2. EXTRA CLAIM FEES FOR UTILITY AND REISSUE

Total Claims	Independent Claims	Multiple Dependent	Extra Claims	Fee from below	Fee Paid

Large Entity Small Entity

Fee Code	Fee (\$)	Fee Code	Fee (\$)	Fee Description
1202	18	2202	9	Claims in excess of 20
1201	84	2201	42	Independent claims in excess of 3
1203	280	2203	140	Multiple dependent claim, if not paid
1204	84	2204	42	" Reissue independent claims over original patent
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FEE CALCULATION (continued)

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Other fee (specify)			
SUBTOTAL (3)			\$650.00

*Reduced by Basic Filing Fee Paid

Complete If Applicable				
SUBMITTED BY				
Name (Print/Type)	Peter J. Yim	Registration No. (Attorney/Agent)	44,417	Telephone (415) 268-8373
Signature		Date	May 2, 2003	

MORRISON & FOERSTER LLP

Attorneys at Law
425 Market Street
San Francisco, California 94105-2482
Telephone: (415) 268-7000
Facsimile: (415) 268-7522

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To: U. S. Patent and Trademark Office
Office of Petitions (Patent)

Facsimile: (703) 308-6916
Phone: (703) 308-6199

From: Peter J. Yim

Date: May 2, 2003

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LOCAL AREA NETWORKS**

Papers attached:

1. Transmittal (1 Page)
2. Fee Transmittal w/duplicate copy for fee processing (2 Pages)
3. Petition For Revival of an Application For Patent Abandoned For Failure To Notify The Office of a Foreign or International Filing (2 Pages)
4. Facsimile Cover Sheet